

REMARKS

The claims are 1-26. Claim 8 has been amended to better define the invention. Claims 20-26 are newly added. Reconsideration of the present claims is respectfully requested.

With respect to the Examiner's contention regarding claim 8, the claim has been amended to recite that the look-up table is embodied in a computer readable media used in the system of this invention. Support for this claim may be found throughout the specification, particularly at page 2, lines 9-12 and page 4, lines 9-25. Accordingly, this change is not new matter.

Newly added claims 20-26 make the system of claims 1-7 the subject of a method. This method teaches using the measuring means and look-up table disclosed in the specification to determine the percentage body fat of a four legged domestic pet mammal. Thus, these claims are not new matter.

Claims 1-19 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stanton et al. Applicants respectfully traverse this rejection. The Examiner will note that Stanton discloses a method for determining the percent body fat in domestic cats, requiring a total of six body measurements. From these measurements, even more numerous independent variables are to be calculated. Stanton then teaches to perform a statistical analysis on these independent variables. In contrast, applicant's invention greatly simplifies this process by requiring only two body dimension measurements to determine body fat percentage. Unlike the present application, Stanton et al. have not appreciated that only two body dimension are required.

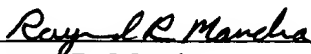
Moreover, a system calling for only two body dimension measurements makes the claimed invention simple enough to be able to use a look-up table to convert body dimension to percentage body fat. Conversely, nowhere in the disclosure does Stanton utilize a look-up table to determine body fat percentage. Indeed, one of ordinary skill in the art would recognize that using a look-up table to determine the complex, six-variable expressions of Stanton would be entirely impractical since a look-up table generally does not support more than two independent variables. Unlike the present invention, the method of Stanton requires the user to instead make calculations. Therefore, it would not be obvious to use the particular look-up table claimed with a six-variable expression. Accordingly, Stanton actually teaches away from the present invention.

Applicant's disclosure is thus directed toward a simplified system for obtaining a body fat percentage for cats that requires only two body dimension measurements and relieves the user from having to perform any calculations by providing a convenient look-up table. This look-up table allows even inexperienced users to easily convert body dimensions to a percentage body fat. It is therefore respectfully submitted that applicant's presently-claimed invention is not suggested by Stanton.

Wherefore, it is respectfully submitted that the presently claimed invention is not disclosed or suggested by the art of record whether taken alone or together. Accordingly, it is respectfully requested that the claims be allowed and the case passed to issue.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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